

MEMORANDUM FOR : General Counsel

SUBJECT : Effective Date for Home Leave Entitlements Under
Title IV of Public Law 86-707

1. Advice is requested as to the appropriate effective date to be used in computing employee entitlements under Title IV - Amendments to Annual and Sick Leave Act of 1951, as provided in P. L. 86-707.

2. Section 403 of the subject law states that, "The amendments made by this title to the Annual and Sick Leave Act of 1951, as amended, shall take effect on the first day of the first pay period following the date of enactment of this Act." The law was approved 6 September 1960 and the first day of the first pay period following this date is 18 September 1960.

3. The Civil Service Commission has issued regulations in the Federal Personnel Manual, which in Section 30.609 reiterates the effective date provisions of the public law as quoted from Section 403 in the above paragraph. Confusion arises about the effective date by the Commission's definition of "Service abroad" in Section 30.601(c) which reads as follows:

"Service abroad" means service on and after September 6, 1960, as an employee of any agency of the Federal Government at a post of duty outside the United States and outside the employee's place of residence if his residence is the Commonwealth of Puerto Rico or any one of the possessions of the United States."

4. For the guidance of this Office in administering home leave entitlements for Agency employees, your opinion is requested as to the correct effective date to be used. Is the effective date 6 September 1960, as stated in the Commission's definition of "Service abroad", or is the effective date the first day of the first pay period following the date of enactment of the law, which would be 18 September 1960 for this Agency?


Deputy Comptroller

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TAS:R  (17 May 1961)